

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-MJ-4616

UNITED STATES OF AMERICA,

Miami, Florida

vs.

January 3, 2025

ALON ALEXANDER,

Defendant(s). Pages 1 - 37

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DETENTION AND REMOVAL HEARING  
TRANSCRIBED FROM DIGITAL AUDIO RECORDING  
BEFORE THE HONORABLE EDUARDO SANCHEZ  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

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1 (Case called to order of the court.)

2 THE COURT: Please be seated.

3 Before we call the first case, I am going to advise  
4 all of the defendants and the government of the Due Process  
5 Protections Act requirements.

6 Pursuant to the Due Process Protections Act and  
7 Rule 5(f) of the Federal Rules of Criminal Procedure, the court  
8 hereby confirms the United States' obligation to disclose to  
9 the defendant any evidence filed within the scope of  
10 *Brady v. Maryland* and its progeny.

11 That includes any exculpatory evidence tending to show  
12 that the defendant is not guilty, any evidence that could be  
13 used to impeach the government's witnesses, or any evidence  
14 that could be used to mitigate a defendant's potential  
15 sentence.

16 The government must disclose this evidence even  
17 without a request from the defendant. The failure to timely  
18 disclose this evidence could result in sanctions, including,  
19 but not limited to, the exclusion of evidence, adverse jury  
20 instructions, dismissal of the charges, contempt proceedings,  
21 disciplinary action, or other sanctions by the court.

22 Call the first case, please.

23 THE COURTROOM DEPUTY: Alon Alexander, 24-mj-4616.

24 Would counsel announce your appearance.

25 MS. ESPINOSA: Good morning, your Honor.

1 Elizabeth Espinosa and Kaiya Arroyo, for the  
2 government, from the Southern District of New York. We are  
3 also joined by Lauren Astigarraga.

4 MR. SREBNICK: Good morning, your Honor.

5 Howard Srebnick, together with my colleague Raymie  
6 Walsh, on behalf of the defendant, Alon Alexander.

7 THE COURT: Good morning.

8 We are here on the continuation of the pretrial  
9 detention hearing in this matter that we commenced on Monday.

10 I will tell you that I have reviewed all of your  
11 submissions. I don't know at this time if -- I guess you want  
12 to present some additional argument.

13 MR. SREBNICK: Yes, please.

14 Can he be seated like last time? Would that be okay?

15 THE COURT: Yes, that's fine.

16 MR. SREBNICK: Thank you. Judge.

17 Yesterday we submitted for you a proposal in response  
18 to the government's concern that our proposal had been  
19 hypothetical. We now have something quite concrete, no pun  
20 intended, since you have seen the building that would house  
21 Alon Alexander in the event the court sets conditions of  
22 confinement, to include home confinement, to the conditions of  
23 release, to include home detention.

24 What we have done is the following. We have  
25 identified a two-bedroom apartment here in Miami-Dade County.

1 You have the address. The government has the address. It is  
2 on the eighth floor.

3 Far from the government's description, it is not a  
4 luxury apartment. It is, as described by V2 Global that went  
5 to the place, surveilled it, surveyed it, prepared a site plan,  
6 it is a basic two-bedroom apartment. It is available because a  
7 family friend has it available and is offering to have it used  
8 by Alon during the period of pretrial release. That is to say,  
9 if Alon is going to be in Miami, he can stay right there.

10 To the extent he needs to be in New York for any  
11 proceedings, the government is aware of the address of brother  
12 Tal Alexander's New York City apartment, which is on an even  
13 higher floor and has no balconies.

14 So we have proposed a concrete plan of two locations  
15 where Alon Alexander would reside during the period of pretrial  
16 release.

17 V2 Global, you met already Donnie DeLuca -- he is now  
18 standing in the second row, he will stand -- and DC Page. We  
19 were on a phone call yesterday with the prosecutors, together  
20 with another one of their colleagues, George Piro, from V2  
21 Global.

22 You may remember, George Piro was a special agent in  
23 charge of Miami. He is available as we speak by phone right  
24 now, if your Honor wants to speak to him.

25 So he can assure the court that V2 Global, these men

1 who are former law enforcement, will not, just because they are  
2 being paid by the defendant because that's the way it's done  
3 for these kinds of additional assurances, they are not going to  
4 ruin their reputation, subject themselves to contempt of court,  
5 subject themselves to financial ruin by the mere potential  
6 conflict of interest.

7 Let me say that in every case that has ever been cited  
8 by the courts, cited by the government where there's a private  
9 security firm involved approved by the judges, approved by U.S.  
10 Attorney's offices, the defendant always pays for those kinds  
11 of additional assurances to satisfy the court.

12 To the extent the court wants to hear from George  
13 Piro, he is available until 11 a.m., because he is taking a  
14 flight back to Miami from where he is now.

15 Also on that phone call yesterday with the government  
16 was Mr. Mills, another former law enforcement officer. He was  
17 actually on the assignment together with DC Page monitoring  
18 Mr. Napout, N-A-P-O-U-T, a defendant charged in the Eastern  
19 District of New York, a citizen of Paraguay, who successfully  
20 participated in home detention under the supervision of these  
21 men that are here in court today approximately eight years ago.

22 And let me just say, I know your Honor said you  
23 thought there might have been a situation where a home  
24 detention with private security didn't work.

25 We have found no such case, and the government has

1 cited none, where this additional assurance has failed. And  
2 certainly it's never failed on the watch of the men that are  
3 standing before you today, together with Mr. Piro, who is  
4 available by telephone.

5 And the mere fact that it's paid for by the defendant,  
6 that is a red herring argument that's being offered by the  
7 government, because that's always the case, even in the  
8 situations where the government has agreed to private security,  
9 as in the Napout case, as in the Ludwickson case, where the  
10 defendant was granted by Magistrate Judge Bandstra right in  
11 this courthouse. It was affirmed by the Eastern District of  
12 New York judge, over the government's objection, I might add,  
13 additionally, but then everything worked out, paid for by the  
14 defendant. That's always the case.

15 And I want to respond to the government's argument  
16 that someone is trying to "buy their way out of jail." That  
17 was their exact quote to you yesterday in their motion.

18 Let's understand that these defendants are presumed  
19 innocent. They have been convicted of nothing. They have no  
20 criminal history. They are not supposed to be in jail. They  
21 have not been convicted of anything.

22 And up to now all you have seen was the testimony of  
23 an agent who knew nothing about the case other than what's been  
24 reported to her by another agent who didn't testify.

25 So to the extent the government is trying to suggest

1 to you that the strength of the evidence is something that the  
2 court should use to deny them bail, the government has got the  
3 burdens backwards.

4 The fact that there is a rebuttable presumption  
5 because of the nature of the charge, sex trafficking, we can  
6 respond to that, because the government itself in cases in  
7 New York have agreed to home detention in two well-known cases  
8 of this year, a Mr. Jeffries and a Mr. Smith, Case Number  
9 24-423, in the Eastern District of New York.

10 Mr. Jeffries, whose net worth was measured at about  
11 \$300 million, was released on home detention with the consent  
12 of the government on a sex trafficking case. His codefendant,  
13 a U.K. citizen, Mr. Smith, likewise released on home detention,  
14 neither of which was required to have the additional safeguard  
15 that we are offering of private security.

16 And that was in December of this year -- excuse me,  
17 last year now. December, last month. Enormous financial  
18 resources in that case.

19 So I view that argument, that a defendant is trying to  
20 buy his way out of jail, a bit problematic.

21 The government wants to cite the equal protection  
22 clause. Any defendant can come to you in this court and say,  
23 Judge, here are the conditions that we can use to satisfy you  
24 that Alon Alexander is not going to present a flight risk and a  
25 danger to the community.

1           Everyone has that opportunity, rich or poor. And if  
2 someone himself doesn't have assets to offer to the court, they  
3 can have friends and family offer those assets. In fact,  
4 courts routinely want to know that the community supports the  
5 defendant by showing that the community is willing to risk  
6 their assets.

7           You said something the other day that I thought about.  
8 You said that the defendant's family, because they are willing  
9 to offer everything they have, would be willing to lose  
10 everything they have because they are concerned about the case.

11           Well, I think that the answer to that is no. The  
12 family is willing to risk everything they have because they  
13 know that Alon Alexander is not going to leave the family  
14 destitute.

15           They are not giving the money to the court. They are  
16 pledging the money to the court because they know that Alon  
17 will abide by any condition you set. They are willing to take  
18 that risk.

19           They are not willing to be destitute for the rest of  
20 their lives and have their son on the lam. That is not what  
21 this is about because they know their son is not going  
22 anywhere.

23           That's the showing that you would like to see from a  
24 family, willing to risk everything, and this family is willing  
25 to do that.



1           Uncle Gil, who is again in the courtroom today, he is  
2 willing, in addition to the court setting a personal surety  
3 bond of any amount, secured by the wealth of the parents and  
4 the brothers accused, if the court would like the additional  
5 safeguard of a corporate surety bond, Gil is prepared.  
6 Whatever the bondsman needs, he will be the person that  
7 collateralizes, if necessary, a corporate surety bond.

8           You will have a bondsman, who is an additional  
9 safeguard, to overcome any concern you have about risk of  
10 flight.

11           I also thought about the Israel thing a lot.

12           We are taking their passports away. Israel is,  
13 perhaps, the most secure country in the world. Right now, you  
14 can't just walk into Israel. You can't even get a flight in  
15 into Israel.

16           The notion that the government is suggesting to you  
17 that they are going to take the family, the wife and the two  
18 kids, and sneak into Israel, that's under wartime conditions,  
19 is fanciful, and it's just not based in any evidence.

20           Alon Alexander has known for months that the FBI is  
21 investigating. He's done nothing to suggest any intention of  
22 fleeing, any intention of not facing that which he's being  
23 accused of. So much so, as you know, the government made much  
24 that he has been working with lawyers and compiling information  
25 to help his lawyers defend against the civil lawsuits that have

1 already started being filed.

2 We are not limiting any options. We will make any  
3 option available to your Honor. For the moment, you have a  
4 concrete example of something that will work.

5 He will leave the courthouse. He will leave the jail,  
6 wherever he's going to be released from, into the custody of  
7 law enforcement officers with decades of experience.

8 If the court requires it, he will be handcuffed. He  
9 will be transported handcuffed to that condominium here in  
10 Miami-Dade County eight floors up in the air.

11 It's a relatively small, given the number of people  
12 that will be there, two-bedroom apartment. One of the security  
13 guards from V2 will be in the unit. The unit will be alarmed.  
14 There will be cameras so that anyone who has access to the  
15 remote video can watch the events that are going on in that  
16 apartment 24 hours, seven days a week.

17 When the time comes that the judge in New York wants  
18 Alon Alexander physically to be in New York, V2 Global will, as  
19 they did in the Napout case, transport Alon from Miami to  
20 New York. They can do it by car, they can do it by aircraft,  
21 all of which will be vetted first by the U.S. Attorney's  
22 Office. Everything will be precleared by the U.S. Attorney's  
23 Office and the FBI.

24 Yesterday, when we were on the phone with the  
25 government, we offered, let us speak to -- let us talk to

1 whoever from the FBI wants to get more information. The  
2 government has access to all of that.

3 V2 Global, George Piro, formerly the person in charge  
4 of the FBI, is willing to stand by his company's ability to  
5 carry out the duties that we are asking them to undertake under  
6 government supervision and under court order.

7 What more can we ask of Alon Alexander? What more can  
8 we ask of his family to satisfy you, Judge, that if you set  
9 conditions, he will abide by them, so much so that V2 Global,  
10 or any other security company that the government prefers, will  
11 assure you that in real-time the government, the FBI, the  
12 court, local law enforcement will know Alon Alexander is at  
13 such and such an address on the eighth floor.

14 If he moves, there will be an all-points bulletin  
15 where the local police will be there. The FBI will be noticed.  
16 Where he is going under those conditions?

17 Your only decision, I believe, is to decide, do those  
18 conditions satisfy you that it will assure the safety of the  
19 community.

20 Alon Alexander has been living peacefully in his home  
21 for five years with not a single allegation. Not even a  
22 parking ticket in five years has been alleged in this  
23 courtroom.

24 I am sure he's had a parking ticket. I don't want to  
25 say he hasn't. But no one has accused him of anything in that

1 regard.

2 You know, he has not posed any danger to the community  
3 in more than five years. There will be a significant challenge  
4 to the statute of limitations issues in this case. That's not  
5 your concern today.

6 Your concern today is, he has shown that, together  
7 with his wife, who testified before your Honor, and, again, the  
8 government, desperate to make any argument because she was  
9 qualified to serve as an assistant to a brigadier general, the  
10 government makes the allegation, supported by nothing, that she  
11 must have some connections in the Israeli military.

12 These are insulting arguments. These are just  
13 insulting to make those baseless accusations.

14 We brought that to your attention so you would know  
15 the kind of person who Alon Alexander is sharing his life with,  
16 now with their two children.

17 A judge in the Western District of New York, Lawrence  
18 Vilardo, he wrote an opinion in *United States v. Fox*, another  
19 sex trafficking case, where a magistrate judge had initially  
20 denied bail. And District Judge Vilardo, from Buffalo,  
21 overruled the magistrate and said we can fashion conditions of  
22 release.

23 He recognized in his opinion, published at 602 F.  
24 Supp. 3d 434, that of course these are sensational allegations,  
25 but he recognized the presumption of innocence. He recognized

1 that the bail presumption is rebuttable, and he set conditions  
2 of bond.

3 The government has not come to the court and shown us  
4 one single case where these conditions have failed.

5 So with all of that I ask, Judge, if there's anything  
6 more that would satisfy you, anything we need to do to assure  
7 you that Alon Alexander, for the next 12 to 18 months or  
8 however long it takes to get to trial, will abide to make sure  
9 you are satisfied, we are not closing off any options.

10 Our concern is this. You have read about, I am sure,  
11 the conditions of confinement in Brooklyn at the detention  
12 center plagued with drugs and guns, suicides and murder.

13 The FBI had to raid that place because it was  
14 becoming -- it is and had become unsafe. Judges describing it  
15 as dangerous. Judges describing it as horrific.

16 Alon Alexander should not be placed in those  
17 conditions for the next 12 months, because that's what it's  
18 going to take, likely, to get this case to trial. He should  
19 not be placed in those conditions when we can give you an  
20 alternative to assure you that he will be in court and that he  
21 will comply.

22 If I could have a moment.

23 (Pause.)

24 Thank you.

25 THE COURT: Thank you.

1 MS. ESPINOSA: Thank you, your Honor.

2 Now, the law is clear in the Second Circuit that a  
3 defendant cannot be released to the care of private security  
4 when an indigent defendant would be detained under the same  
5 circumstances. This is a violation of the Bail Reform Act of  
6 equal protection under the law.

7 The only circumstances in which a defendant can be  
8 released to the care of a private security is if he would be  
9 released but for his wealth, and that is simply not what we are  
10 dealing with in this case.

11 Here, there are a host of reasons why the defendants  
12 are a severe flight risk that cannot be mitigated by any  
13 conditions, including the conditions that they have proposed.

14 Now, we will focus our arguments today on risk of  
15 flight primarily, but, again, your Honor, we do maintain very  
16 strongly that the defendants are a danger to the community, and  
17 that that is also a reason that factors in support of their  
18 detention here.

19 Now, as your Honor noted on Monday, three of four  
20 children in the defendant's family are charged in this case.  
21 Three of four are facing a 15-year mandatory minimum sentence  
22 with the possibility of life in prison.

23 If they are convicted and spend the rest of their  
24 lives in prison, this family suffers incredible harm. Three of  
25 their four children are in jail for the rest of their lives.

1 If there is ever a case to risk everything to avoid that, this  
2 is it for that family.

3 Now, they have made clear that money is no object to  
4 keep their sons out of jail and are willing to put up money for  
5 bond and to create this private facility in an apartment to  
6 keep them from being detained.

7 But that, as your Honor pointed out, just goes to show  
8 that they will do anything for their sons, that they will put  
9 up anything to get them out of jail, to help them avoid facing  
10 these charges. There's absolutely every incentive here to  
11 flee.

12 Now, the property that defense counsel has proposed  
13 has not changed the calculation here. It is not directly on  
14 the water. But everywhere in Miami is quite close to waterways  
15 that give access to the ocean, close to private airfields that  
16 you have access to a private jet. And all the defendant needs  
17 is a head start to successfully evade law enforcement.

18 Here, all private security can do is slightly reduce  
19 that head start. They can't prevent it. They are going to  
20 call the FBI, call the local police if the defendants leave  
21 without permission.

22 The defendants do not need much time to get out of  
23 reach of law enforcement, to get beyond the reach of the FBI,  
24 to make their way on a boat or a private plane, and they cannot  
25 be stopped in time.

1           These defendants have a lot of experience booking just  
2 that sort of travel. It would be easy for them in their  
3 apartment to arrange for their trip, wait for the right moment  
4 to go get on a boat, make their way to a Caribbean island, get  
5 on a private plane, fly out of the country, and they would be  
6 gone before we could stop them, and all the private security  
7 could do is call the police.

8           One moment, your Honor.

9           Additionally, I want to note, your Honor, that the  
10 defendant's family also owns several properties outside of the  
11 United States based on information that defense counsel  
12 provided us on Monday.

13           His parents own an apartment in Tel Aviv and a house  
14 in the Bahamas, which gives him a location to go to directly  
15 should he make his way out of the country and allow him to have  
16 a place to stay while he attempts to fight any attempts to  
17 remove him back to the United States.

18           Again, your Honor, I think -- I want to go back to the  
19 principle that the question is not can we theoretically get him  
20 back. The question is not is he ultimately going to evade  
21 prosecution for the rest of his life.

22           The question is, can these conditions prevent him from  
23 fleeing in the first place.

24           We should not -- the question is not can we bring him  
25 back; it is can we prevent him from going at all. Here, these



1 conditions are simply ineffective to do that.

2 I will also note, your Honor, that the information  
3 provided by defense counsel as to the parents' assets does not  
4 include the value of any cash or liquid assets. It includes  
5 primarily investments and properties.

6 So I don't know to the extent there are other assets  
7 available that are not accounted for here, and that raises the  
8 question of what percentage of their wealth are they actually  
9 staking? We don't actually know that.

10 Now, again, your Honor, I keep harping on the  
11 mandatory minimum here, but I do think that is an incredibly  
12 important factor in their calculus.

13 Fifteen years in prison for someone who has never  
14 spent time in jail before this case is enormous, and the  
15 possibility of life is obviously devastating. That gives them  
16 absolutely every incentive in the world to flee.

17 Now, I briefly want to address the Jeffries case that  
18 Mr. Srebnick brought up. That case is distinguishable for a  
19 couple of reasons.

20 First, Mr. Jeffries and Mr. Smith were both much older  
21 than these defendants, and it's my understanding, from some  
22 representations that have been made in court, they both have  
23 nonpublic health reasons that resulted in their release that  
24 are not the case for these particular defendants here, and that  
25 was one of the calculations that went into agreeing, in

1 particular for Mr. Jeffries, who is in his eighties.

2           Additionally, the conduct in that case is much older  
3 and stopped, I believe, in 2014, if I recall the date  
4 correctly.

5           Now, as to the conditions of the Metropolitan  
6 Detention Center in Brooklyn, that's something that courts in  
7 the Southern District of New York have been very focused on.  
8 It is something that has been improving.

9           In fact, Judge Cronan, the district judge assigned to  
10 this case, said only a couple of weeks ago, in a hearing on  
11 another district arrest, that the conditions in the MDC are  
12 improving day by day. And that's an issue that we remain very  
13 focused on and are committed to assisting as necessary.

14           I will also note that there are a number of facilities  
15 in the New York City area that are used by the Bureau of  
16 Prisons and the marshals to house inmates as needs demand.

17           Again, your Honor, I will also talk about the Napout  
18 case briefly.

19           That is a fraud case at bottom. There is no mandatory  
20 minimum sentence, and the guidelines are very unlikely to have  
21 been life in that case, though I do not have that in front of  
22 me.

23           And that defendant was simply facing a different  
24 calculus. That was not a case that involved violence. That  
25 was not a case that involved sex trafficking. It was a fraud

1 case, a bribery case. And that defendant was not facing any  
2 mandatory minimum term of incarceration. And so it is simply  
3 not comparable to this situation here at hand.

4 Indeed, the vast majority of the cases defense counsel  
5 has relied on where this happened are, in fact, nonviolent  
6 fraud cases where defendants are not facing a mandatory  
7 minimum.

8 Here, the incentives are different. The calculus is  
9 different, and defendants have every reason to attempt to flee.

10 One moment, your Honor.

11 Finally, your Honor, I will note that this case is  
12 actually directly comparable to many cases in the Southern  
13 District of New York where judges have rejected exactly this  
14 condition:

15 The Sean Combs case, Jeffrey Epstein, Ghislaine  
16 Maxwell, as well as others in the Eastern District, like Keith  
17 Raniere, individuals charged with serious sex trafficking  
18 offenses who had enormous wealth at their fingertips, who  
19 attempted use that to construct their own private facilities,  
20 and judges have routinely rejected that as inadequate to ensure  
21 that they appeared in court as required.

22 Your Honor, if you have any specific questions, I am  
23 happy to address them.

24 THE COURT: Okay. Thank you.

25 Very briefly, Mr. Srebnick.

1 MR. SREBNICK: So now it sounds like all of Miami is  
2 now a risk of flight because we are near the water.

3 I don't know how to respond to that other than to say,  
4 Manhattan is an island, and they are on the water, too. So I  
5 don't know what I am supposed to make of that nonsensical  
6 argument.

7 Now the government is saying that Alon -- James  
8 Bond -- Alexander is going put together an international  
9 conspiracy to jet him from an eighth floor building.

10 I see from your reaction I don't need to waste time  
11 with responding to that.

12 With regard to the family's wealth, the government has  
13 offered nothing, zero, to rebut the presentation made about  
14 wealth. Nothing. No evidence, nothing.

15 As Judge Vilardo, in the Western District of New York,  
16 said, we don't have the burden of persuasion even when there's  
17 a rebuttable presumption. We just have the burden of  
18 production. It's a light burden. And we have well exceeded  
19 any production by the presentation that we made today.

20 We will agree to have phones monitored so that -- we  
21 can deny the defendant access to a cell phone, if that would  
22 make the court more comfortable. He's waiving extradition.

23 Judge, anything. Thank you.

24 THE COURT: Thank you, Mr. Srebnick.

25 Okay, look. The court has to determine today whether

1 the government has met its burden of proving that no condition,  
2 or combination of conditions, will reasonably assure  
3 Mr. Alexander's appearance as required and the safety of the  
4 community.

5 As to appearance as required, the government's burden  
6 is preponderance of the evidence.

7 As to danger to the community, it is a burden to  
8 establish by clear and convincing evidence and (inaudible)  
9 sufficient as to create an abiding conviction that future  
10 danger is highly probable.

11 The court assesses the extent of any risk first, and  
12 then whether any condition, or combination of conditions, would  
13 reasonably mitigate that risk.

14 Here, the indictment clearly establishes probable  
15 cause to believe that the defendant committed the charged  
16 offense, and that creates the rebuttal presumption that no  
17 condition, or combination of conditions, would reasonably  
18 assure his appearance as required and the safety of the  
19 community.

20 Regardless of the presumption, the government still  
21 has the burden of proving that detention is required, and the  
22 presumption is, nonetheless, also considered as evidence, along  
23 with all of the other evidence in regard to whether the  
24 government has met its burden.

25 I think a lot here has been said in terms of

1 dangerousness. While clearly there is a presumption, and I do  
2 think that there is dangerousness here, I think that conditions  
3 could be fashioned, a combination of conditions, to address any  
4 type of danger that is presented here.

5 The risk of flight is really, I think, the issue here.  
6 Looking at the nature and circumstances of the offense, these  
7 are extremely serious charges that carry extremely serious  
8 penalties.

9 The 15-year minimum mandatory is, I think, an  
10 important factor here affecting the court's decision, as is the  
11 potential for a life sentence, given the dozens of victims who  
12 have come forward, and that is what also makes the weight of  
13 the evidence in this case strong.

14 It is the fact that there have been so many victims  
15 who have come forward under similar circumstances and made  
16 similar allegations.

17 I do recognize that the defendant has, aside from  
18 this, really, his personal circumstances are not the sort that  
19 would normally present an issue on risk of flight. Certainly  
20 he has ties to this community, but it is also concerning to the  
21 court that he does have ties in many other places of the world,  
22 particularly Israel.

23 I know that, because there is a report, there are also  
24 ties to Brazil, through the brother's family, but really  
25 primarily Israel. And, you know, he is the son of Israeli

1 immigrants. His wife is an Israeli citizen with family there,  
2 as well, and I think that puts him in a different position.

3 While I do recognize there is an extradition treaty  
4 with Israeli, I do recognize that just because there is an  
5 extradition in place does not make it easy to extradite someone  
6 from a foreign country, and that it would be difficult,  
7 potentially, for someone who is the citizen [sic] of Israeli  
8 citizens, whose wife is an Israeli citizen, who could  
9 potentially even be deemed, as I understand it because of the  
10 circumstances, akin to an Israeli citizen or given similar  
11 protections.

12 I have seriously considered the conditions that have  
13 been put forward by the defense.

14 I think, Mr. Srebnick, you have done a commendable job  
15 advocating for your client in these conditions. I have looked  
16 at them, and I will tell you, I understand the government's  
17 argument, and I am concerned about the two-tier system of  
18 justice, one for the wealthy and one for those who are not  
19 wealthy, and could do this.

20 But notwithstanding that, I have considered this in  
21 this case, and as I go through it, I ultimately -- the only  
22 thing that would convince me is that I look to see if you can  
23 make this the equivalent of confinement because I really feel  
24 that confinement is about the only thing that could reasonably  
25 assure his appearance as required under the circumstances with

1 what is faced here.

2 And I recognize that there are other cases where this  
3 might work. Every case is an individual consideration. And I  
4 realize the family's willingness to risk all sorts of things  
5 for the defendant -- and I think that is admirable -- but I  
6 think in this case it just is not enough to -- it isn't enough  
7 to assure, reasonably assure the appearance of the defendant.

8 I think there are too many incentives, the  
9 circumstances of this case, the opportunity -- I think the  
10 wealth -- while the wealth is not what is deciding my decision  
11 here, because I think a lot of what the government has  
12 suggested with the fears here have been in cases where people  
13 do flee with substantial less wealth, and are able to do it  
14 from this district.

15 It is really, I think, the willingness and the desire  
16 and the incentive to do it under the circumstances, and I think  
17 this case would be -- as I said, we meet dozens of accusers  
18 that way, and the penalties that are faced, that there just  
19 aren't any conditions, or a combination of conditions, that  
20 would reasonably assure the defendant's appearance as required.

21 I will say, it has been a tough decision. I think  
22 this is close, but I think the government has met its burden of  
23 proving that no condition, or combination of conditions, will  
24 reasonably assure Mr. Alon Alexander's appearance as required.

25 As a result of that, Mr. Alexander, I am going to rule



1 that you be remanded to the custody of the marshal.

2 I will go ahead and enter a written order summarizing  
3 those rulings later.

4 MR. SREBNICK: So, your Honor, two things.

5 One is, I heard your Honor refer to dozens, although I  
6 think the agent testified she couldn't even quantify how many  
7 were against Alon, and it worries me that the court is relying  
8 on the government proffer that was not supported from the  
9 witness stand about how many people are accusing Alon  
10 Alexander. She couldn't even identify the number.

11 THE COURT: I understand, Mr. Srebnick. I am not  
12 saying individually for the substantive count. The conspiracy  
13 count carries the same penalties, and it is, I think, more than  
14 sufficient.

15 I think the weight of the evidence -- and even not  
16 just against himself. I think the notion that it is the  
17 brothers -- and I am not saying this -- I think the fact that  
18 they are all facing these charges is something that is an  
19 incentive for him individually, as well, to flee.

20 So I think the weight of the evidence presented in  
21 this case is still -- I understand what you are saying, but I  
22 think with the indictment, what the agent testified to -- and  
23 even if she couldn't give you some of the particulars on  
24 cross-examination, I think she was able to support the proffer  
25 about what the prosecutor said in terms of other things, and I

1 think that is sufficient to establish that.

2 MR. SREBNICK: Then, to be clear, the bail package we  
3 proposed, if any one brother flees, they all get remanded  
4 because the collateral is collateralizing. The collateral is  
5 all of them.

6 But that, I suppose for the moment, for Alon, if he  
7 were to disobey the court's command, the other brothers would  
8 have no chance at bail, of course, in Tal's appeal and Oren's  
9 next hearing.

10 So I want to be clear that that is what the family is  
11 willing to offer.

12 THE COURT: I understand that the family is willing,  
13 and I understand that there is other conditions.

14 I have thought and been willing to consider other  
15 things, whether there are other options even beyond what you  
16 had proposed that I thought would work, and Mr. Srebnick, I  
17 simply find that no conditions short of confinement would  
18 satisfy.

19 MR. SREBNICK: So what's left at this point is removal  
20 and whether the government has satisfied its burden to  
21 establish identity, and what I heard the witness say is,  
22 suggest that she could distinguish between the two brothers.

23 When I presented her photographs of one of the two  
24 Alexander brothers, she can't distinguish the brothers from  
25 each other.

1           And so I submit to your Honor that the government has  
2 failed in establishing the necessary burden for removal in  
3 terms of identity.

4           THE COURT: Okay.

5           Ms. Espinosa, what is your response?

6           MS. ESPINOSA: Your Honor, the question for an  
7 identity hearing is did we arrest the person who is charged in  
8 the underlying indictment, and the issues as to false  
9 identification are trial issues, are the issues properly taken  
10 up with the district judge supervising this case.

11           Here, I proffered, and the agent adopted, adequate  
12 facts to demonstrate that we arrested the correct individual.

13           Alon Alexander was arrested at his home which is  
14 linked to him in multiple records, including law enforcement  
15 databases. There is a GPS locator on his cell phone  
16 subscribing his name pinging at that location. It was on his  
17 person when he was arrested.

18           We arrested the correct person.

19           THE COURT: Okay. Frankly, I don't think that there's  
20 an issue as to identity. I think that was adequately  
21 established.

22           I understand that there is some issue with identifying  
23 a photograph of him skiing.

24           I will tell you, sitting here today, looking at the  
25 two of them from that photograph, I would not have been able to

1 tell you who it was, but that's more a factor, I think, of the  
2 photograph than of the two defendants. They clearly look  
3 similar. They are brothers.

4 But I think the agent, from her review, clearly  
5 testified that she could identify and separate them, and I  
6 believe her, that she believes that. And I think the other  
7 circumstances establish identity.

8 So I do find that the government has met its burden to  
9 establish identity. I am going to go ahead and order the  
10 defendant removed on that basis.

11 Is there anything else we need to address on this  
12 particular matter with respect to this defendant?

13 MS. ESPINOSA: Not from the government, your Honor.

14 MR. SREBNICK: I will file post hearing the materials  
15 that we submitted on PACER, a PowerPoint. There is one exhibit  
16 under seal.

17 THE COURT: Very good.

18 THE COURTROOM DEPUTY: Calling Oren Alexander,  
19 24-mj-4616.

20 THE COURT: For the record, I am going to ask the  
21 government if they could submit a proposed order on the AO form  
22 in Word format.

23 MS. ESPINOSA: Yes, your Honor.

24 And I would also just ask that Mr. Srebnick not file  
25 the PowerPoint under seal showing the amount -- or in public,

1 on PACER, showing the photographs that he demonstrated in  
2 court.

3 Those would go to identify people who may be  
4 witnesses, and that would be inappropriate at this stage in the  
5 case.

6 I am happy to discuss with him appropriate redactions  
7 or appropriate methods to file it, but I would ask that he not  
8 file that prior to having that conference.

9 MR. SREBNICK: We will work it out, yes.

10 THE COURT: Yes, please, nothing that identifies or  
11 shows victims or witnesses, please.

12 MR. SREBNICK: We will work it out.

13 THE COURT: Okay. Thank you.

14 (Proceedings adjourned.)  
15

16 C E R T I F I C A T E  
17

18 I hereby certify that the foregoing is an accurate  
19 transcription to the best of my ability of the digital audio  
20 recording in the above-entitled matter.  
21

22 January 4, 2025

/s/ Jill M. Wells  
Jill M. Wells, RMR, CRR, CSR  
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West Palm Beach, FL 33401  
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25

<p><b>MR. SREBNICK:</b> [10] 3/4 3/13 3/16 20/1 25/4 26/2 26/19 28/14 29/9 29/12</p> <p><b>MS. ESPINOSA:</b> [5] 2/25 14/1 27/6 28/13 28/23</p> <p><b>THE COURT:</b> [14] 2/2 3/7 3/15 13/25 19/24 20/24 25/11 26/12 27/4 27/19 28/17 28/20 29/10 29/13</p> <p><b>THE COURTROOM DEPUTY:</b> [2] 2/23 28/18</p> <p><b>\$</b></p> <p><b>\$300</b> [1] 7/11</p> <p><b>\$300 million</b> [1] 7/11</p> <p><b>/</b></p> <p><b>/s</b> [1] 29/22</p> <p><b>1</b></p> <p><b>10278</b> [1] 1/14</p> <p><b>11</b> [1] 5/13</p> <p><b>12</b> [2] 13/7 13/17</p> <p><b>1300</b> [1] 1/20</p> <p><b>15-year</b> [2] 14/21 22/9</p> <p><b>18</b> [1] 13/7</p> <p><b>2</b></p> <p><b>201</b> [1] 1/19</p> <p><b>2014</b> [1] 18/3</p> <p><b>2025</b> [2] 1/5 29/22</p> <p><b>24</b> [1] 10/16</p> <p><b>24-423</b> [1] 7/9</p> <p><b>24-MJ-4616</b> [3] 1/2 2/23 28/19</p> <p><b>3</b></p> <p><b>33131</b> [1] 1/20</p> <p><b>33132</b> [1] 1/17</p> <p><b>33401</b> [2] 1/23 29/24</p> <p><b>37</b> [1] 1/7</p> <p><b>3d</b> [1] 12/24</p> <p><b>4</b></p> <p><b>423</b> [1] 7/9</p> <p><b>434</b> [1] 12/24</p> <p><b>4616</b> [3] 1/2 2/23 28/19</p> <p><b>4th</b> [1] 1/16</p> <p><b>6</b></p> <p><b>602</b> [1] 12/23</p> <p><b>7</b></p> <p><b>701</b> [2] 1/22 29/23</p> <p><b>9</b></p> <p><b>99</b> [1] 1/16</p> <p><b>A</b></p> <p><b>a.m</b> [1] 5/13</p> <p><b>abide</b> [3] 8/17 11/9 13/8</p> <p><b>abiding</b> [1] 21/9</p> <p><b>ability</b> [2] 11/4 29/19</p> <p><b>able</b> [3] 24/13 25/24 27/25</p> <p><b>about</b> [14] 6/23 7/10 8/7 8/10 8/21 9/9 9/11 13/10 18/17 20/13 23/17 23/24 25/9 25/25</p> <p><b>above</b> [1] 29/20</p>	<p><b>above-entitled</b> [1] 29/20</p> <p><b>absolutely</b> [2] 15/10 17/16</p> <p><b>access</b> [5] 10/14 11/2 15/15 15/16 20/21</p> <p><b>accounted</b> [1] 17/7</p> <p><b>accurate</b> [1] 29/18</p> <p><b>accusations</b> [1] 12/13</p> <p><b>accused</b> [3] 9/4 9/23 11/25</p> <p><b>accusers</b> [1] 24/17</p> <p><b>accusing</b> [1] 25/9</p> <p><b>Act</b> [3] 2/5 2/6 14/5</p> <p><b>action</b> [1] 2/21</p> <p><b>actually</b> [4] 5/17 17/8 17/9 19/12</p> <p><b>add</b> [1] 6/12</p> <p><b>addition</b> [1] 9/2</p> <p><b>additional</b> [7] 3/12 5/3 5/11 6/1 7/14 9/4 9/8</p> <p><b>additionally</b> [3] 6/13 16/9 18/2</p> <p><b>address</b> [8] 4/1 4/1 4/11 11/13 17/17 19/23 22/3 28/11</p> <p><b>adequate</b> [1] 27/11</p> <p><b>adequately</b> [1] 27/20</p> <p><b>adjourned</b> [1] 29/14</p> <p><b>admirable</b> [1] 24/5</p> <p><b>adopted</b> [1] 27/11</p> <p><b>adverse</b> [1] 2/19</p> <p><b>advise</b> [1] 2/3</p> <p><b>advocating</b> [1] 23/15</p> <p><b>affecting</b> [1] 22/10</p> <p><b>affirmed</b> [1] 6/11</p> <p><b>again</b> [6] 9/1 12/7 14/15 16/18 17/10 18/17</p> <p><b>against</b> [3] 9/25 25/7 25/16</p> <p><b>agent</b> [7] 4/22 6/23 6/24 25/6 25/22 27/11 28/4</p> <p><b>ago</b> [2] 5/21 18/10</p> <p><b>agree</b> [1] 20/20</p> <p><b>agreed</b> [2] 6/8 7/7</p> <p><b>agreeing</b> [1] 17/25</p> <p><b>ahead</b> [2] 25/2 28/9</p> <p><b>air</b> [1] 10/10</p> <p><b>aircraft</b> [1] 10/20</p> <p><b>airfields</b> [1] 15/15</p> <p><b>akin</b> [1] 23/10</p> <p><b>alarmed</b> [1] 10/13</p> <p><b>ALEXANDER</b> [21] 1/6 2/23 3/6 3/21 4/15 7/24 8/13 9/20 10/18 11/7 11/12 11/20 12/15 13/7 13/16 20/8 24/25 25/10 26/24 27/13 28/18</p> <p><b>Alexander's</b> [3] 4/12 21/3 24/24</p> <p><b>all</b> [17] 2/4 3/10 6/22 10/21 11/2 11/14 13/5 15/16 15/18 16/6 16/25 20/1 21/23 24/4 25/18 26/3 26/5</p> <p><b>all-points</b> [1] 11/14</p> <p><b>allegation</b> [2] 11/21 12/10</p> <p><b>allegations</b> [2] 12/24 22/16</p> <p><b>alleged</b> [1] 11/22</p> <p><b>allow</b> [1] 16/15</p> <p><b>ALON</b> [25] 1/6 2/23 3/6 3/21 4/8 4/9 4/15 7/24 8/13 8/16 9/20 10/18 10/19 11/7 11/12 11/20 12/15 13/7 13/16 20/7 24/24 25/7 25/9 26/6 27/13</p> <p><b>along</b> [1] 21/22</p> <p><b>already</b> [2] 4/17 10/1</p> <p><b>also</b> [13] 3/3 5/15 9/11 14/17 16/10 17/2 18/14 18/17 21/22 22/12 22/20 22/23</p>	<p><b>alternative</b> [1] 13/20</p> <p><b>although</b> [1] 25/5</p> <p><b>always</b> [3] 5/10 6/7 6/14</p> <p><b>am</b> [12] 2/3 11/24 13/10 19/22 20/5 23/17 24/25 25/11 25/17 28/9 28/20 29/6</p> <p><b>AMERICA</b> [1] 1/3</p> <p><b>amount</b> [2] 9/3 28/25</p> <p><b>announce</b> [1] 2/24</p> <p><b>another</b> [5] 4/20 5/16 6/24 12/18 18/11</p> <p><b>answer</b> [1] 8/11</p> <p><b>any</b> [29] 2/9 2/11 2/12 2/13 4/10 7/22 8/17 9/3 9/9 9/19 9/21 9/22 10/2 10/2 11/10 12/2 12/8 13/9 14/12 16/16 17/4 19/1 19/22 20/19 21/11 21/12 22/3 24/19 26/3</p> <p><b>anyone</b> [1] 10/14</p> <p><b>anything</b> [8] 6/21 11/25 13/5 13/6 15/8 15/9 20/23 28/11</p> <p><b>anywhere</b> [1] 8/22</p> <p><b>AO</b> [1] 28/21</p> <p><b>apartment</b> [9] 3/25 4/4 4/6 4/12 10/12 10/16 15/5 16/3 16/13</p> <p><b>appeal</b> [1] 26/8</p> <p><b>appearance</b> [8] 2/24 21/3 21/5 21/18 23/25 24/7 24/20 24/24</p> <p><b>APPEARANCES</b> [1] 1/11</p> <p><b>appeared</b> [1] 19/21</p> <p><b>appropriate</b> [2] 29/6 29/7</p> <p><b>approved</b> [2] 5/9 5/9</p> <p><b>approximately</b> [1] 5/21</p> <p><b>are</b> [67]</p> <p><b>area</b> [1] 18/15</p> <p><b>aren't</b> [1] 24/19</p> <p><b>argument</b> [7] 3/12 6/6 6/15 7/19 12/8 20/6 23/17</p> <p><b>arguments</b> [2] 12/12 14/14</p> <p><b>arrange</b> [1] 16/3</p> <p><b>arrest</b> [2] 18/11 27/7</p> <p><b>arrested</b> [4] 27/12 27/13 27/17 27/18</p> <p><b>ARROYO</b> [2] 1/13 3/1</p> <p><b>as</b> [39]</p> <p><b>aside</b> [1] 22/17</p> <p><b>ask</b> [6] 11/7 11/8 13/5 28/20 28/24 29/7</p> <p><b>asking</b> [1] 11/5</p> <p><b>assesses</b> [1] 21/11</p> <p><b>assets</b> [6] 8/2 8/3 8/6 17/3 17/4 17/6</p> <p><b>assigned</b> [1] 18/9</p> <p><b>assignment</b> [1] 5/17</p> <p><b>assistant</b> [1] 12/9</p> <p><b>assisting</b> [1] 18/13</p> <p><b>assurance</b> [1] 6/1</p> <p><b>assurances</b> [2] 5/3 5/11</p> <p><b>assure</b> [12] 4/25 11/11 11/18 13/6 13/20 21/2 21/18 23/25 24/7 24/7 24/20 24/24</p> <p><b>ASTIGARAGGA</b> [1] 1/15</p> <p><b>Astigarraga</b> [1] 3/3</p> <p><b>attempt</b> [1] 19/9</p> <p><b>attempted</b> [1] 19/19</p> <p><b>attempts</b> [2] 16/16 16/16</p> <p><b>attention</b> [1] 12/14</p> <p><b>Attorney's</b> [5] 1/13 1/16 5/10 10/21 10/22</p> <p><b>audio</b> [2] 1/9 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<p><b>A</b></p> <p><b>Aviv</b> [1] 16/13</p> <p><b>avoid</b> [2] 15/1 15/9</p> <p><b>aware</b> [1] 4/11</p> <p><b>away</b> [1] 9/12</p> <p><b>B</b></p> <p><b>back</b> [5] 5/14 16/17 16/18 16/20 16/25</p> <p><b>backwards</b> [1] 7/3</p> <p><b>Bahamas</b> [1] 16/14</p> <p><b>bail</b> [6] 7/2 12/20 13/1 14/5 26/2 26/8</p> <p><b>balconies</b> [1] 4/13</p> <p><b>Bandstra</b> [1] 6/10</p> <p><b>based</b> [2] 9/19 16/11</p> <p><b>baseless</b> [1] 12/13</p> <p><b>basic</b> [1] 4/6</p> <p><b>basis</b> [1] 28/10</p> <p><b>be</b> [45]</p> <p><b>Beach</b> [2] 1/23 29/24</p> <p><b>because</b> [22] 4/6 5/1 5/2 5/13 6/7 7/5 7/6 8/8 8/10 8/12 8/16 8/21 12/8 13/13 13/17 20/2 22/23 23/4 23/9 23/23 24/11 26/4</p> <p><b>become</b> [1] 13/14</p> <p><b>becoming</b> [1] 13/14</p> <p><b>bedroom</b> [3] 3/25 4/6 10/12</p> <p><b>been</b> [20] 3/18 5/7 5/23 6/19 6/21 6/23 9/24 11/20 11/22 17/22 18/7 18/8 18/21 21/25 22/14 23/13 24/12 24/21 26/14 27/25</p> <p><b>before</b> [6] 1/10 2/3 6/3 12/7 16/6 17/14</p> <p><b>behalf</b> [1] 3/6</p> <p><b>being</b> [5] 5/2 6/6 9/22 10/1 15/6</p> <p><b>believe</b> [4] 11/17 18/3 21/15 28/6</p> <p><b>believes</b> [1] 28/6</p> <p><b>best</b> [1] 29/19</p> <p><b>between</b> [1] 26/22</p> <p><b>beyond</b> [2] 15/23 26/15</p> <p><b>Biscayne</b> [1] 1/19</p> <p><b>bit</b> [1] 7/20</p> <p><b>Black</b> [1] 1/19</p> <p><b>boat</b> [2] 15/24 16/4</p> <p><b>bond</b> [6] 9/3 9/5 9/7 13/2 15/5 20/8</p> <p><b>bondsman</b> [2] 9/6 9/8</p> <p><b>booking</b> [1] 16/1</p> <p><b>both</b> [2] 17/20 17/22</p> <p><b>bottom</b> [1] 18/19</p> <p><b>Boulevard</b> [1] 1/19</p> <p><b>Brady</b> [1] 2/10</p> <p><b>Brady v. 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